



PATENT
Attorney Docket No. 397

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Robert McNamara, et al.)
Serial No.: 10/005,433) Group Art Unit: Unassigned
Filed: November 2, 2001) Examiner: Unassigned
For: METHOD AND SYSTEM FOR)
DETECTING NETWORK ELEMENTS)
IN AN OPTICAL COMMUNICATIONS)
NETWORK)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir/Madam:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. To the knowledge of the undersigned, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits in the above-referenced application.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies these documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of the documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

Respectfully submitted,

Date: March 5, 2002

By:



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Reg. No. 39,491

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FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE
(Modified) PATENT AND TRADEMARK OFFICE



INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(Use several sheets if necessary)

ATTY. DOCKET NO.
397

SERIAL NO.
10/005,433

APPLICANT: Robert McNamara, et al.

FILING DATE: 11/02/01

GROUP: Unassigned

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5	9	6	3	9	4	3	10/05/99	Cummins, et al.	707	10	
	5	7	3	7	3	1	9	04/07/98	Croslin, et al.	370	255	
	5	9	7	8	1	1	5	11/02/99	Condict, et al.	359	124	
	6	1	6	3	3	9	2	12/19/00	Condict, et al.	359	124	
	6	2	0	5	1	2	2	03/20/01	Sharon, et al.	370	254	

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

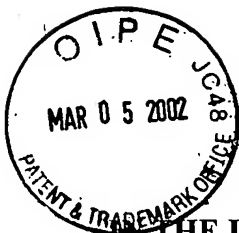
		DOCUMENT NUMBER							PUBL. DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION	
													YES	NO

OTHER DOCUMENTS (Including Author, Title, Date**, Relevant Pages, Place of Publication***)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



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NETWORK)

Sir/Madam:

TRANSMITTAL LETTER

We enclose the following papers for filing in the United States Patent and Trademark Office in connection with the above-referenced patent application.

1. Co-Pending Letter;
2. Information Disclosure Statement Under 37 C.F.R. §1.97(b); and
3. PTO Form 1449 IDS.

CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this Information Disclosure Statement, Form 1449 and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this 5th day of March, 2002 in an envelope marked as "Express Mail Post Office to Addressee" Mail Label Number EV051634957US addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Carol S. Parker-Hines
(type or print name of person mailing paper)

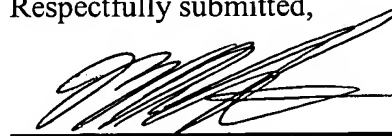
Carol S. Parker-Hines
(signature of person mailing paper)

Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. Section 1.16 and Section 1.17, at any time during the pendency of this application, or credit any over payment of such fee(s) to Deposit Account No. 50-0308.

Respectfully submitted,

Dated: March 5, 2002

By:



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Washington, D.C. 20231

Sir/Madam:

LETTER

Under the provisions of MPEP § 2001.06(b), the Examiner is hereby advised of the following co-pending U.S. Application(s):

<u>Appl. No.</u>	<u>Filing Date</u>	<u>Group</u>
10/007,212	November 2, 2001	
10/007,224	November 2, 2001	

The subject matter contained in the above-listed co-pending U.S. application(s) may be deemed to relate to the present application, and thus may be material to the prosecution of this instant application.

The above-listed co-pending application(s) is(are) not to be construed as prior art. By bringing the above-listed application(s) to the attention of the Examiner, Applicant(s) do(does) NOT waive any confidentiality concerning the above-listed co-pending application(s) or this

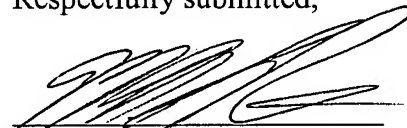
application. See MPEP § 101. Furthermore, if said application(s) should not mature into patents, such application(s) should be preserved in secrecy under the provisions of 35 U.S.C. § 122 and 37 C.F.R. § 1.14.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account No. 50-0308.

Respectfully submitted,

Dated: March 5, 2002

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